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Notice of Allowability

Application No.

09/883,862

Examiner

Dwin M. Craig

Applicant(s)

GRAY ET AL.

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5-4-2005.
2. ☒ The allowed claim(s) is/are 1-6,8,9,14 and 16-21.
3. ☒ The drawings filed on 5-4-2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

And

EXAMINER'S REASONS FOR ALLOWANCE

1. Claims 1-6, 8, 9, 14 and 16-21 are allowed.
2. Claims 7, 10, 11, 12, 13 and 15 are cancelled.
3. The Objection to the drawings is withdrawn in view of Applicants' amended drawings submitted on 5-4-2005.
4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. *Please see 37 CFR 1.126.*

The application has been amended as follows:

In Claim 17, please change "Claim 16" to -- Claim 10 --.

In Claim 18, please change "Claim 16" to -- Claim 10 --.

Examiner's Reasons for Allowance

5. The following is an examiner's statement of reasons for allowance:
 - 5.1 As regards independent Claims 1, 14 and 16, the following limitations, in combination with other limitations, are neither anticipated nor made obvious by the prior art.

"A simulator for verifying the functionality of an electrical product safety tester" in combination with *"an arc view window."* The prior art does not teach or suggest this combination.

Art Unit: 2123

As regards independent Claim 19 the prior art neither anticipates nor makes obvious the following combination of limitations in combination with other limitations, *"A simulator for verifying the functionality of an electrical product safety tester,"* in combination with *"wherein said air gap device is designed to arc over at about 750V."* The prior does not teach or suggest this combination. Further, the Examiner notes that the phrase, *"about 750V"* is not ambiguous or unclear as required by 35 USC § 112-second paragraph, *see MPEP section 2173.05 (b)*.

As regards independent Claims 20 and 21, the prior art neither teaches nor make obvious, the following combination of limitations, in combination with other limitations, *"A simulator for verifying the functionality of an electrical product safety tester,"* in combination with *"a first resistor/impedance element in series with said second switch, and a second resistor/impedance element in parallel with said series connection of said second switch"*. The Examiner notes that Applicants' are claiming the exact circuit configuration of Figure 5 and the Examiner further notes that this specific circuit configuration is neither anticipated, nor made obvious by the prior art, and more specifically not in combination with a simulator designed to verify the functionality of an electrical product safety tester.

5.2 Dependent claims 2-6, 8, 9, 17 and 18 are allowed as they depend upon and allowed base claim.

5.3 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2123

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent 6,745,146 discloses an automated test system for testing a circuit's ground connections. US Patent 6,005,404 and US Patent 6,373,270 disclose a simulated environment for stress testing and electrical testing electrical appliances, (Col. 2 lines 55-57). US Patent 6,011,398 discloses a Current-Leakage Tester which discloses circuits similar to but not the same as Applicants' claimed test circuit (Figures 2A-2E).

6.1 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwain M. Craig whose telephone number is (571) 272-3710. The examiner can normally be reached on 10:00 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMC


Paul L. Rodriguez 7/25/05
Primary Examiner
Art Unit 2125